

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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IN RE: AUTOMOTIVE PARTS ANTITRUST LITIGATION	:	No. 12-md-02311
	:	Hon. Marianne O. Battani
	:	
THIS DOCUMENT RELATES TO:	:	
All End-Payor Actions	:	

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**DECLARATION OF BRIAN A. PINKERTON**

I, Brian A. Pinkerton, hereby declare and state as follows:

1. I am a Senior Project Manager for Epiq Class Action & Claims Solutions, Inc. (“Epiq”). I am over 21 years of age and am not a party to this action. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, could and would testify competently thereto.

2. Early on February 29, 2020, Epiq experienced a cyber attack. As part of Epiq’s comprehensive response plan, it immediately took its systems offline globally. The action of taking its systems offline ultimately impacted the availability of the toll-free number and Settlement Website for the Auto Parts End Payor Settlements as well as the printing and mailing systems affiliated with these settlements.

3. Epiq notified Co-Lead Class Counsel for the End-Payor Plaintiffs (“Class Counsel”) of this cyber attack on March 4, 2020 and has provided updates since then. At this time and to the best of Epiq’s knowledge, no client data has been accessed, viewed, copied, extracted, or compromised, including data related to the Auto Parts Settlements or Settlement Class Members. Once systems return to service, Epiq intends to notify Class Members who have filed

claims, by notice on the Website, that although the investigation is ongoing, to date there is no evidence that their information has been accessed or exfiltrated by those responsible for this event.

4. Epiq is working to resolve this issue as quickly as possible. On March 9, 2020, the Settlement Website and toll free number again became active, but the website is not currently able to accept claims. Epiq is unable to state with certainty when this issue will be addressed sufficiently to permit the online claim form to be available to Settlement Class Members. However, Epiq will continue to update Co-Lead Class Counsel with any information regarding the availability of the online claim-filing portal on the Settlement Website. Epiq understands that Co-Lead Class Counsel will request the Court to extend the claims deadline as a result of this situation. Co-Lead Class Counsel have notified Defendants of that forthcoming extension request.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 12th day of March 2020.



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Brian A. Pinkerton